Addendum 2013-2 to the Final Merced to Fresno Section Project EIR/EIS

1.0 Introduction

Addendum 2013-2 to the *California High-Speed Train (HST) Project, Merced to Fresno Section Final Environmental Impact Report/Environmental Impact Statement* (Final EIR/EIS) (Authority and FRA April 2012) has been prepared by the California High Speed Rail Authority in conformance with Public Resources Code §21166 and the Guidelines for California Environmental Quality Act (CEQA). CEQA Guidelines section 15164, states: "The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred." CEQA Guidelines section 15162 provides that a subsequent EIR shall be prepared if substantial changes to the project analyzed in the previous EIR or new information of substantial importance would result in new significant environmental effects or a substantial increase in the severity of the previously identified significant impacts. In addition, a subsequent EIR may be required if mitigation measures previously found as infeasible are now feasible or are substantially different from those analyzed in the EIR and could substantially reduce impacts of the project and the project proponent declines to implement them.

In June of 2013, the Surface Transportation Board identified it has jurisdiction over the statewide High-Speed Train system, including the Merced to Fresno Section. The Merced to Fresno Section is now subject to the Interstate Commerce Commission Termination Act. (49 U.S.C. § 10501(b).) The preparation of this addendum does not waive or eliminate any preemptive effect of the ICCTA and the Authority intends no such waiver.

2.0 Background

The California High-Speed Rail Authority (Authority) and Federal Railroad Administration (FRA) prepared the *California High-Speed Train (HST) Project, Merced to Fresno Section Final Environmental Impact Report/Environmental Impact Statement* (Final EIR/EIS) (Authority and FRA April 2012). The Authority was the Lead Agency under CEQA, and the FRA was the Lead Agency under the National Environmental Policy Act (NEPA). The Authority Board certified the EIR in May 2012, adopted CEQA Findings of Fact and a Statement of Overriding Considerations, and approved the Merced to Fresno Section. The Authority committed to implementing a Mitigation Monitoring and Reporting Program (MMRP Revision 1, Authority December 2012). The FRA issued a Record of Decision in September 2012, including a Mitigation Monitoring and Enforcement Plan (MMEP). Design refinements to the Olive and Belmont overcrossings were described in an addendum and approved by the Authority in June 2013. (Merced to Fresno Section Final EIR/EIS Addendum 2013-1.)

With their approval of the Final EIR/EIS, the Authority and FRA committed to implementing mitigation for potential impacts that would occur with construction, operation, and maintenance of the Merced to Fresno Section (HST Project). The Authority and FRA are seeking federal and state permits for impacts on biological resources associated with the HST Project and are proposing to undertake mitigation at a specific site, the Lazy K Ranch (Ranch), which spans Merced and Madera Counties (Figure 1). The Authority proposes to preserve and restore habitat on a portion of the Lazy K Ranch in order to mitigate the potential loss of regulated aquatic resources and listed species' habitat as a result of the construction, operation, and maintenance of the initial permitting phase, also referred to as PP1.

Onsite restoration and mitigation activities to address impacts associated with construction and operation of PP1 were analyzed as part of the Final EIR/EIS, including onsite implementation of the biological, hydrology, and water quality avoidance, minimization, and mitigation measures specified in the Final EIR/EIS. Because the specific site(s) that would meet Authority and FRA offsite mitigation obligations were not yet identified at the time of the completion of the Final EIR/EIS the potential impacts of implementing offsite mitigation at the Lazy K site could not be analyzed. Therefore the authority has conducted a subsequent environmental analysis of the implementation of mitigation activities at the Lazy K Ranch in the following memorandum; *Merced to Fresno Section – Environmental Re-examination of the Proposed Lazy K Mitigation Site* (Authority and FRA, May 2013). This Addendum summarizes the findings of that Environmental Re-examination regarding the anticipated impacts (both adverse and beneficial) associated with the restoration and preservation of habitat to mitigate for the environmental impacts of the HST Project, consistent with the requirements of the Final EIR/EIS.

The Authority and FRA documented development of the mitigation concept for the entire Merced to Fresno Section, including the Lazy K Ranch site, in the *Draft Mitigation Strategy and Implementation Plan* (MSIP) (Authority and FRA 2012). The *Draft Merced to Fresno Section Permitting Phase 1-Specific Permittee-Responsible Mitigation Plan* (Draft PP1-Specific PRMP; Authority and FRA 2013) further focused on implementation of mitigation to satisfy the biological resources-related mitigation requirements for PP1. The *Final Permittee-Responsible Mitigation Plan for Onsite and Offsite Mitigation for Permitting Phase 1 of the Merced to Fresno Section of the California High-Speed Train Project* (Final PRMP; Authority and FRA 2013b) is now available and provides a detailed definition of the Lazy K Mitigation Proposal to be implemented at the Ranch to satisfy the aquatic and biological mitigation requirements for PP1.

3.0 Description of Mitigation Site and Activities

The approved HST project described in the Final EIR/EIS and Addendum 2013-1 includes the requirement for mitigation and long-term management activities as part of its adopted MMRP and as part of the applications for permits and approvals from State and federal regulatory agencies. The analysis in this Addendum covers the activities anticipated to take place within the Lazy K Mitigation Site as described in more detail in the Environmental Re-examination, the Final PRMP (Authority and FRA 2013), and the LTMP (Authority and FRA 2013).

The Lazy K Ranch is 1,555 acres and is located at the northwestern edge of Madera County and the southern edge of Merced County, approximately 5 miles east of the City of Chowchilla, 15 miles north of the City of Madera, and 5 miles south of Le Grand in Merced County (Figure 1). The Lazy K Mitigation Site is primarily undeveloped and consists of open rangeland with upland annual grasslands interlaced by wetland habitats (vernal pool, vernal swale, and seasonal wetland). The Chowchilla River, and its associated floodplain and riparian corridor also runs through the area. The Lazy K Mitigation Site is zoned for agricultural uses and has been enrolled since 1970 under the California Land Conservation Act of 1965 (Williamson Act). The Ranch, including much of the Lazy K Mitigation Site, is used for cattle and horse grazing. Grazing typically occurs from November to May. Residences and existing core ranch operations (including ranch headquarters, corrals, a barn, and an equipment storage yard), which are not part of the Lazy K Mitigation Site, are located in the central western portion of the Ranch.

The portion of the ranch where the various mitigation related activities will occur consists of a total of 1,005 acres and is referred to as the Lazy K Mitigation Site, which is further divided into the following areas where specific activities will occur;

- **PP1 Mitigation Area**: The 529.75-acre part of the Lazy K Mitigation Site used to provide mitigation for PP1. The PP1 Mitigation Area consists of the following subareas that are also shown on Figure 2.
  - Preservation Area – Preservation and management of occupied and/or potential habitat for special-status species, this area (410.52 acres) includes required mitigation and additional area for potential future needs.

  - Wetland Restoration Area – Restoration of 16.76 acres of vernal pools and associated upland habitat, this area (115.18 acres) includes required mitigation and additional area for potential future needs.

  - Riparian Restoration Area – Restoration of riparian area through plantings, this area (4.09 acres) includes existing canopy coverage (1.09 acres) required mitigation (2.66 acres), and additional area for potential future needs (0.34 acre).

- **Temporary Use Areas:** These areas, which comprise 476.07 acres, will be used for staging activities and inoculum collection associated with the vernal pools to be restored in connection with the Mitigation Proposal. These Temporary Use Areas will not be permanently set aside by the landowners for use by the Authority as mitigation.

  - Inoculum Collection Area (474.84 acres) – Collection of inoculum to be used for the vernal pool restoration associated with the PP1 Mitigation Area.

  - Staging Area (1.23 acres) – Temporary storage and staging of equipment for vernal pool restoration..

Wetland Restoration Area soil conditions and hydrologic conditions are conducive to restoring vernal pools. Although the Wetland Restoration Area was leveled in the 1940s, which eliminated mound-basin topography necessary to support vernal pools, the area has not been deep-ripped. Therefore, the underlying hardpan that is ideal for vernal pool restoration remains intact. Vernal pools restored and created pursuant to the Mitigation Proposal are expected to be capable of supporting vernal pool listed species, once established.

Along the Chowchilla River, conditions are appropriate to restore native riparian vegetation. The geomorphology of the Chowchilla River and associated floodplain is intact, with no down-cutting associated with the active channel shelf (Vollmar 2013). In addition, a minor amount of natural recruitment of riparian vegetation (young seedlings and saplings) suggests that successful rehabilitation of the Riparian Restoration Area is possible.

The Lazy K Mitigation Site features high-density vernal pools and swales, with mima-mound topography and upland annual grasslands that support a high density and diversity of listed and rare aquatic and terrestrial wildlife and plants. The Lazy K Mitigation Site is located within the Madera Vernal Pool Recovery Core Area identified in the Vernal Pool Recovery Plan (USFWS 2005). This area has been identified as a core recovery area for several listed plant and wildlife species, including succulent owl's-clover, San Joaquin Valley Orcutt grass, hairy Orcutt grass (*Orcuttia pilosa*), Conservancy fairy shrimp (*Branchinecta Preservation*), vernal pool fairy shrimp, and vernal pool tadpole shrimp. The following special-status plants and animals currently found on the Lazy K mitigation site are analyzed in the Environmental Re-Examination and summarized in this Addendum:

- Succulent owl's clover
- Spiny-sepaled button-celery
- Vernal pool fairy shrimp
- Midvalley fairy shrimp
- Vernal pool tadpole shrimp
- Western spadefoot toad
- California tiger salamander
- Bald eagle
- Swainson's hawk
- American badger

The Lazy K mitigation site also provides suitable habitat for the additional special-status plants and animals analyzed by this document:

- San Joaquin Valley Orcutt grass

  - Hairy Orcutt grass
  - Conservancy fairy shrimp
  - Valley elderberry long-horned beetle
  - Burrowing owl
- San Joaquin kit fox

The activities evaluated in the Environmental Re-examination include preservation and management of occupied habitat and potential habitat for special-status species, maintenance of upland grasslands for listed species, and continued managed livestock grazing compatible with maintenance of vernal pools. Restoration activities would require the following site development activities (generally in chronological order):

- Land grading and contouring (Wetland Restoration Area).
- Inoculum collection (Preservation Area and Inoculum Collection Area)
- Vernal pool inoculation and erosion control (Wetland Restoration Area).
- Riparian planting, installation and maintenance of a temporary irrigation system, weeding, and associated erosion control measures above the ordinary high-water mark of the Chowchilla River (Riparian Restoration Area).
- Success monitoring and reporting requirements as required by the PP1 permits (Wetland and Riparian Restoration Areas).
- Long-term management of the PP1 Mitigation Area in accordance with the LTMP, including monitoring and maintenance activities.

The Lazy K Mitigation Site is immediately south of the Great Valley Conservation Bank and approximately 1.5 miles south of the Drayer Ranch Conservation Bank (Figure 3) and would fit within a larger regional system of preserved lands and mitigation banks (Figure 4). The Great Valley Conservation Bank, established by Wildlands, Inc., totals 1,067 acres; this bank preserves pristine vernal pool grasslands and habitat for a variety of species. The Drayer Ranch Conservation Bank, owned by the Drayer family, includes an easement held by the San Joaquin Valley Conservancy; this bank preserves 254 acres of vernal pool grasslands. The Ranch would link and extend these preserve areas southward, provide protection for many sensitive species, and protect a USFWS-designated east-west movement corridor/link and habitat for the San Joaquin kit fox (Lazy K Ranch Heritage Preserve B, LLC 2012). Although some areas of the Ranch are not a part of the Lazy K Mitigation Site, the areas are anticipated to remain in open space and agricultural uses, which would not impede landscape connectivity.

4.0 Environmental Analysis

4.1 Introduction

This Addendum provides a summary of the environmental evaluation conducted for the Lazy K Mitigation Proposal identified above to be implemented by the Authority as part of the Merced to Fresno section of the high-speed train project. The detailed documentation of the environmental analysis is included in the following memorandum: *Merced to Fresno Section – Environmental Re-examination of the Proposed Lazy K Mitigation Site* (Authority and FRA, May 2013).

The discussion in the Environmental Re-examination summarizes the impact areas of air quality and global climate change, noise, biological resources and wetlands, hydrology and water resources, geology, soils, and seismicity, hazardous materials and wastes, agricultural lands, aesthetic and visual resources, and cultural and paleontological resources. This Addendum does not describe the impacts in the following resource areas because the impacts are minimal, and fully addressed in the Final EIR/EIS and

the Environmental Re-examination: Aesthetics and Visual Resources, Cultural and Paleontological Resources; Wildlife Movement Corridors; Groundwater; Floodplains; and Geology, Soils and Seismicity.

The Lazy K Mitigation Proposal creates no changes to environmental impacts in the following resource areas: electromagnetic fields/electromagnetic interference; transportation; public utilities/energy; safety and security; station planning, land use, and development; socio-economics, communities, and environmental justice; parks, recreation and open space; and regional growth.

4.2 Air Quality and Global Climate Change

4.2.1 Construction Period Impacts

During restoration activities, construction emissions are expected to occur as a result of engine exhaust from the off-road construction equipment and vehicle trips made by haul trucks and construction workers. Total emissions of the HST Project, as modified by the Lazy K Mitigation Proposal, are within the parameters of the construction emissions estimated in the Final EIR/EIS. As required by mitigation measure AQ-MM#4 of the Final EIR/EIS, the Authority and SJVAPCD will enter into a contractual agreement to mitigate the project's emissions through the Voluntary Emission Reduction Agreement (VERA) program to a net zero emissions amount. The same mitigation measure would apply to the Lazy K Mitigation Proposal. Therefore, the overall effects of the HST Project as modified by the Mitigation Proposal would not change from the impact conclusion in the Final EIR/EIS.

4.2.2 Project Period (Permanent Impacts)

Operation emissions from the Mitigation Proposal are expected to occur from routine visits to the Lazy K Ranch for monitoring and maintenance purposes. It is anticipated that up to two vehicle trips per month may be needed for site inspections, and occasionally, construction equipment may be needed for several days each year for maintenance. This would result in minimal emissions, below the SJVAPCD CEQA thresholds and general conformity thresholds for all pollutants. The mitigation activities would not affect local traffic circulation patterns and traffic conditions, and would not cause new violations or exacerbate existing violations of NAAQS for CO or for PM smaller than PM 2.5 or PM 10 during operation. Therefore, the significance of air quality impacts of the HST Project, including the operation of the Lazy K Mitigation Site, would be the same as identified in the Final EIR/EIS.

4.3 Noise and Vibration

4.3.1 Construction Period Impacts

The Lazy K Mitigation Site is located in an area with farmland and scattered residences, with a noise environment dominated by rural activities. Mitigation activities within the Wetland Restoration Area could result in a temporary construction noise and vibration impacts on two residences. However, mitigation measures will ensure that the noise impacts are below the significance thresholds. These measures include avoidance of nighttime construction near residences, use of low-noise equipment, and monitoring and maintaining equipment to meet noise limits.

The Final EIR/EIS concluded that construction noise or vibration impacts from construction of the approved HST Project would be of moderate intensity and not significant under NEPA and less than significant under CEQA. The Lazy K Mitigation Site would implement the same mitigation for construction activities. The impact conclusions of the HST Project, including the Mitigation Proposal, would remain the same as identified in the Final EIR/EIS.

4.3.2 Project Period (Permanent Impacts)

Noise and vibration from the long-term management of the Lazy K Mitigation Site is not anticipated to be any greater than that associated with existing Ranch operation and maintenance activities.

Consequently, no new significant or more severe noise or vibration impacts would be presented by the proposal.

4.4 Biological Resources and Wetlands

4.4.1 Construction Period (Temporary Impacts)

Plant Communities and Land Cover Types

The mitigation activities with the Wetland Restoration Area include grading and contouring for vernal pool restoration. Grading and contouring activities would directly affect approximately 98 acres of annual grassland; however, grading would occur only between July and October. The area of annual grassland that would be temporarily affected was previously leveled and graded, and does not support topography similar to the natural vernal pool grassland elsewhere on the Lazy K Mitigation Site. The grassland vegetation would be allowed to re-establish in the upland portions of the Wetland Restoration Area that have not been converted to vernal pool habitat.

The collection of inoculum would have direct impacts on approximately 2 acres of vernal pools, but the effect of thedisturbance would be minimized by mitigation measures, including a requirement that the collection occur by the least destructive means, and a limit on the collection to 10% of a pool's surface area. Potential indirect impacts on adjacent plant communities would be minimized by mitigation design that restricts construction activities to the dry season and restricts staging and equipment storage to a developed area, and is at least 100 feet from water sources and other sensitive areas.

The Final EIR/EIS found that the HST Project would result in 3.69 acres of temporary direct impacts on annual grasslands. The Final EIR/EIS concluded that, with implementation of mitigation measures, temporary construction impacts on riparian habitat and other plant communities would be less than significant under CEQA. The addition of the Mitigation Proposal would increase these affected areas to 102.13 acres. However, large expanses of natural annual grassland habitat are available for use in the immediate vicinity of the Lazy K mitigation site during the period when the temporary impacts would occur. The Mitigation Proposal would also add 2 acres of direct temporary impacts on vernal pools because of inoculum collection. The Mitigation Proposal, however, would not result in any direct temporary impacts on special-status riparian plant communities, the primary impact of concern identified by the Final EIR/EIS. Project design measures and mitigation measures adopted in the MMRP and MMEP would be implemented to minimize potential direct and indirect temporary impacts. Consequently, the effects resulting from the HST Project, including the Lazy K Mitigation Proposal, on plant communities and land cover types would not create a significant new or substantially more severe impact.

Special-status plant species

Implementation of the wetland and riparian restoration activities at the Lazy K Mitigation Site would not have direct impacts on listed plant species because no suitable habitat for listed plants in the Wetland Restoration Area would be affected and no suitable habitat is present within the Riparian Restoration Area. In addition, inoculum collection from pools that support listed plant species would be prohibited. Inoculum collection activities would likely directly impact spiny-sepaled button-celery, but this nonlisted plant is abundant on the Ranch and collection methods would minimize impacts. Therefore, impacts would be minor in nature and would not result in any substantial adverse effects on local or regional populations.

The Final EIR/EIS concluded that, with implementation of the mitigation measures in the EIR/EIS, temporary construction impacts on special-status plant species would be less than significant under CEQA. The same project design A&M measures, Final EIR/EIS mitigation measures, and USFWS Biological Opinion conservation measures would be implemented at the Lazy K mitigation site to minimize potential direct and indirect temporary impacts to special status plant species. Consequently, the effects resulting from the HST Project, including the Lazy K Mitigation Proposal, on special-status plant species would not result in significant new or substantially more severe impacts.

Special-status wildlife species

Wetland and riparian restoration activities, including inoculum collection, grading and excavation, could impact valley elderberry longhorn beetle, California tiger salamander, western spadefoot toad, American badger, burrowing owl, Swainson's hawk, bald eagle, and San Joaquin kit fox if these species are present onsite when activities occur.

The Final EIR/EIS concluded that, with implementation of mitigation measures, temporary construction impacts on special-status wildlife species would be less than significant under CEQA. Project design A&M measures, Final EIR/EIS mitigation measures, and USFWS Biological Opinion Conservation Measures would be implemented to minimize potential direct and indirect temporary impacts. Consequently, the effects resulting from the HST Project, as modified by the Lazy K Mitigation Proposal, on special-status wildlife species would not have significant new or substantially more severe impacts.

Habitats of Concern

The Lazy K Mitigation Site supports special-status plant communities, including vernal pools and riparian woodland, as well as designated critical habitat for San Joaquin Valley Orcutt grass and vernal pool tadpole shrimp. Jurisdictional waters within the Lazy K Mitigation Site include vernal pools and swales, seasonal wetlands and swales and stock ponds.

Temporary impacts on habitats of concern at the Lazy K Mitigation Site would be limited to special-status plant communities and jurisdictional waters. These habitats could be affected by cane collection and inoculum collection, and there could be potential indirect water quality impacts from erosion and siltation. These impacts are anticipated to be minor and would be minimized through implementation of the project design A&M measures and the Final EIR/EIS mitigation measures. The Final EIR/EIS concluded that, with implementation of mitigation measures, temporary construction impacts on habitats of concern would be less than significant under CEQA. With the project design A&M measures and Final EIR/EIS mitigation measures would, the effects resulting from the HST Project, including the Lazy K Mitigation Proposal, would not have significant new or substantially more severe impacts on habitats of concern.

4.4.2 Project Period (Permanent Impacts)

Plant Communities and Land Cover Types

Wetland and riparian restoration activities would permanently convert approximately 20 acres of annual grasslands to vernal pool and riparian habitat. The Final EIR/EIS concluded that, with implementation of mitigation measures, project period impacts on plant communities and land cover types, including the conversion of approximately 46 acres of annual grassland would be less than significant under CEQA. The conversion of areas of annual grassland to vernal pools and riparian habitat at the Lazy K Mitigation Site would be beneficial because it would replace a previously altered and more widespread habitat type (annual grassland) with scarce habitats that provide additional plant and wildlife habitat and functional value and would restore the area to more natural conditions. Impacts to plant communities and land cover types would not be substantially more severe than addressed in the Final EIR/EIS.

Special–Status Plant Species

Management activities to control weed infestations could result in impacts to individual special-status plant species, and indirect impacts through siltation or erosion. However, the types of permanent impacts on special-status wildlife species caused by the mitigation activities would be consistent with the analysis of the Final EIR/EIS, and the addition of the Mitigation Proposal to the HST Project would not result in significant new effects on special-status wildlife not discussed in the Final EIR/EIS. The creation of additional vernal pool and riparian habitats would be a long-term benefit and minor impacts caused by long-term management activities would be minimized through implementation of project design A&M measures, LTMP guidelines, Final EIR/EIS mitigation measures, and BO conservation measures.

Special-status Wildlife Species

The conversion of areas of annual grassland to vernal pools and riparian areas at the Lazy K Mitigation Site would be beneficial to special-status wildlife because the Mitigation Proposal would replace a more widespread habitat with scarce habitats suitable for special-status wildlife species known to occur in the Lazy K Mitigation Site. It would also restore the Wetland Restoration Area to previous natural conditions. Long-term management activities would not result in the conversion of habitat for special-status wildlife, and short-term effects similar to those described for the construction period would likely be minor and infrequent. Implementation of project design A&M measures, LTMP guidelines, Final EIR/EIS mitigation measures, and BO conservation measures would result in no increase in adverse effects to special status wildlife species beyond what was identified in the Final EIR/EIS.

Habitats of Concern

The Lazy K The Lazy K Mitigation Site includes designated critical habitat for San Joaquin Valley Orcutt grass and vernal pool tadpole shrimp. The conversion of areas of annual grassland to vernal pools and riparian areas by the Mitigation Proposal would be beneficial to habitats of concern, because special-status plant communities such as vernal pools and riparian habitats that are rare in the Central Valley would be restored.

4.5 Hydrology and Water Resources

4.5.1 Construction period impacts

Surface Water Impacts

Implementation of the Mitigation Proposal would result in temporary impacts on surface water drainage, stormwater runoff and water quality associated with ground-disturbing activities during wetland and riparian restoration. These activities at the Lazy K Mitigation Site would result in temporary disturbance of 121 acres in addition to the 2,673 and 2,799 acres of temporary disturbance for the Hybrid Alternative identified in the Final EIR/EIS. Ground disturbance, such as grading, auguring, landscaping, and planting activities, could adversely affect those areas with surface hydrologic connectivity to the Wetland Restoration Area or Riparian Restoration Area.

The types of temporary impacts on surface water caused by the Mitigation Proposal are addressed in the Final EIR/EIS, and the addition of the temporary impact acreages caused by the Mitigation Proposal to the HST Project would not result in new significant effects. The Mitigation Proposal is not expected to result in an increase in temporary adverse impacts on the rate or volume of stormwater runoff, surface drainage patterns, surface water hydrology or water quality beyond what was identified in the Final EIR/EIS because construction activities would occur during the dry season, no temporary surface water diversions would occur, and activities would be performed in locations that preserve and do not alter or interfere with surface hydrology for down-gradient wetlands and waters

4.5.2 Project Period (Permanent Impacts)

Surface Water Impacts

The Mitigation Proposal does not increase the rate or volume of stormwater flow, or incorporate grading that would alter existing surface water drainage patterns. It would not alter the overall existing surface water hydrology on the site because the restoration would be done to mimic existing examples of feature on the site.

The impacts from the Mitigation Proposal would not change the analysis of impacts in the Final EIR/EIS. The same construction BMPs at the surface level to control pollutants would prevent mobilization and infiltration of pollutants associated with project-period activities and minimize potential risks to groundwater quality.

4.6 Agricultural Lands

4.6.1 Construction Period

Temporary impacts on agricultural lands would only result in temporary exclusion of grazing lands, a pre-construction use (i.e., grazing) would resume after successful establishment of newly restored habitat, and a managed grazing plan would provide the option for closely monitored grazing, if needed. Restoration activities and any temporary exclusion of grazing would not cause impacts on local (i.e., within the vicinity of the Ranch) or regional (i.e., Madera and Merced Counties within California's Central Valley) agricultural land use because construction would be limited to the boundaries of the Lazy K Mitigation Site.

4.6.2 Project Period

Once restored habitats are successfully established in the PP1 Mitigation Area, long-term management of these areas and the entire Lazy K Mitigation Site would be accomplished through a managed grazing plan that maintains habitat value and high diversity of special-status species. Implementation of the Mitigation Proposal would not affect the agricultural or grazing activities conducted on the Lazy K Ranch outside of the PP1 Mitigation Area. Agricultural operations within the PP1 Mitigation Area would continue, and the monitoring, operation, and maintenance of the site would not cause a permanent conversion of agricultural land to nonagricultural use. Consequently, there would be no impacts to agricultural land.

4.7 Conclusions

As described above, impacts that could occur as a result of the Lazy K Mitigation Proposal are similar to those described in the Final EIR/EIS. As analyzed at the Lazy K Mitigation Site, these activities would not substantially alter the mitigation measures or analysis of project impacts as documented in the Final EIR/EIS.

Consequently, the activities do not constitute substantial changes to the HST Project because they do not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Similarly, there are no substantial changes with respect to the circumstances under which the high-speed train project is undertaken that causes new significant environmental effects or a substantial increase in the severity of previously identified significant effects. (CEQA Guidelines, § 15162.) Pursuant to the criteria of Public Resources Code §21166 and CEQA Guidelines §15162, no major revisions are necessary to the Final EIR/EIS due to changes in the project, changes in circumstances, or due to new information. It is therefore determined that circulation of a subsequent or supplemental EIR/EIS is not required. The findings of the *California High-Speed Train (HST) Project, Merced to Fresno Section Final Environmental Impact Report/Environmental Impact Statement* continue to be valid.

Figures

Source: Vollmar 2013, boundaries; ESRI 2011, base data

LazyK Vicinity v2 7/31/2013

Figure prepared by ECORP Consulting, Inc.

Figure 1
Lazy K Ranch Location and Vicinity

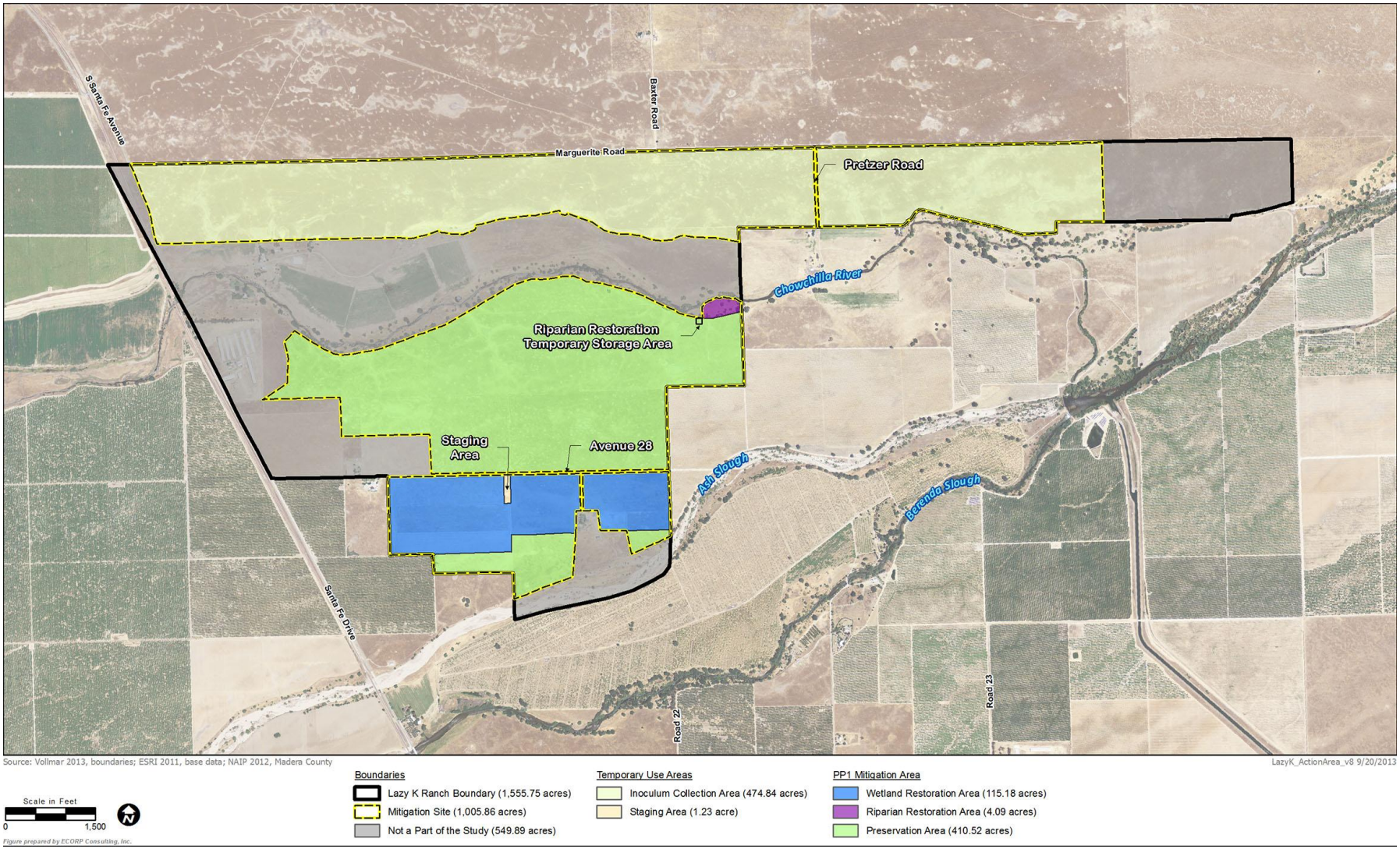


Figure 2
Proposed Uses for the Lazy K Mitigation Site

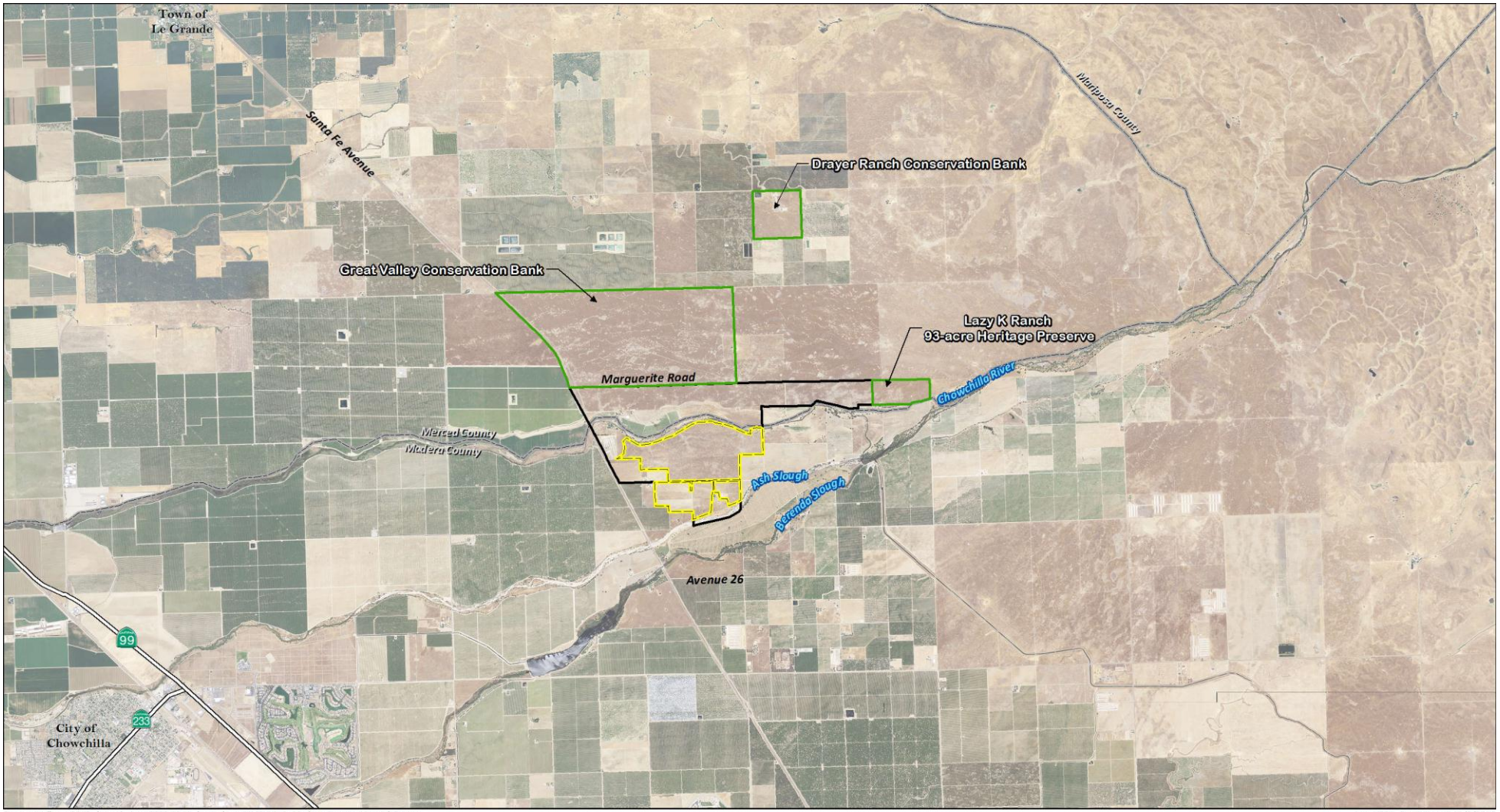
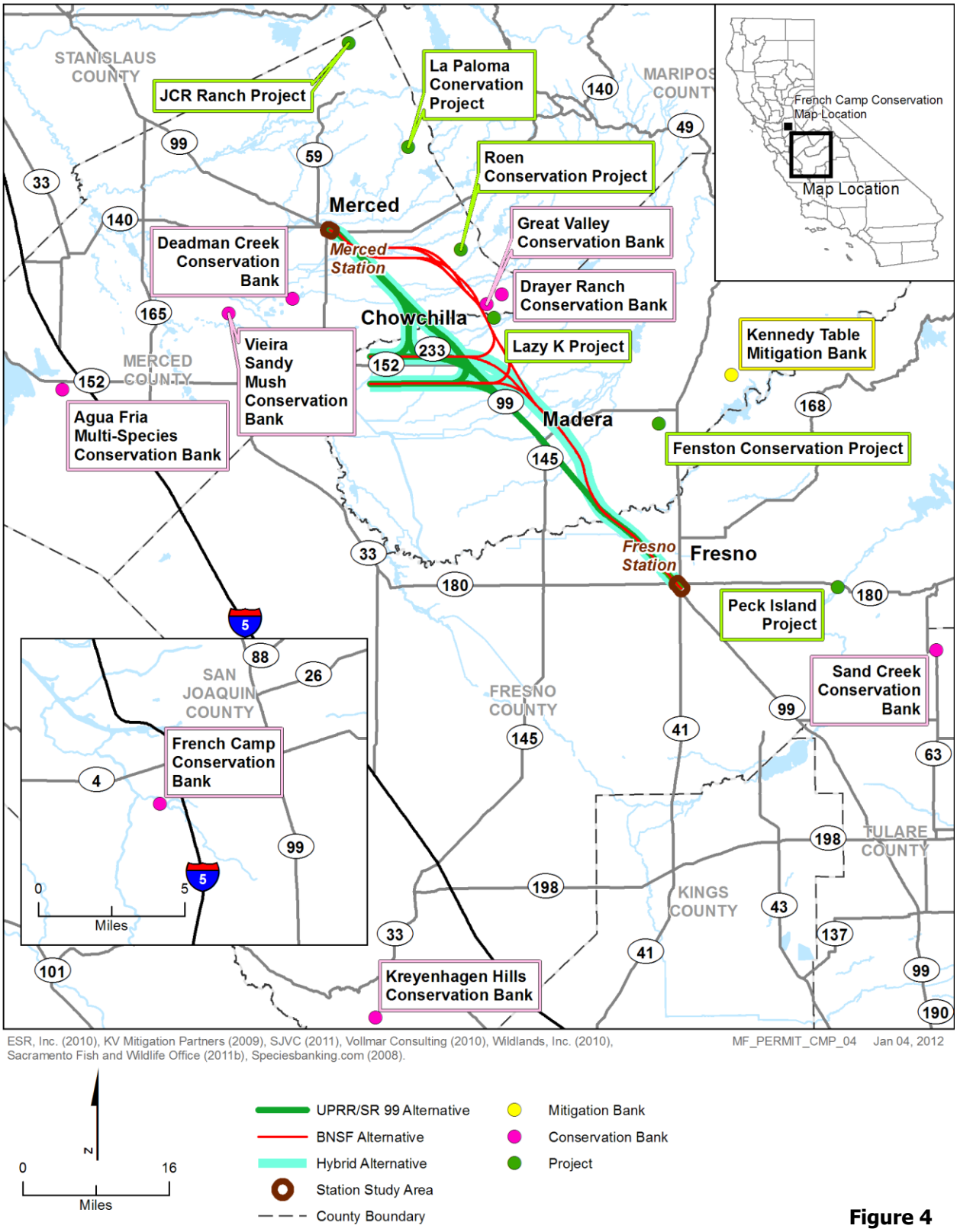


Figure 3
Regional Conservation Areas



ESR, Inc. (2010), KV Mitigation Partners (2009), SJVC (2011), Vollmar Consulting (2010), Wildlands, Inc. (2010), Sacramento Fish and Wildlife Office (2011b), Speciesbanking.com (2008).

MF_PERMIT_CMP_04 Jan 04, 2012

Figure 4
Mitigation/Conservation Banks and Projects